

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/811,328	ZHOU, QUN-YONG	
	Examiner	Art Unit	
	Karen Cochrane Carlson, Ph.D.	1653	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to filing.
2. ☒ The allowed claim(s) is/are 1-19,21-37,39-41.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

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Claims 1-52 are currently pending and are under examination.

An **Examiner's Amendment** to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Lisa Haile on December 8, 2005.

**Examiner's Amendments to the Claims:**

Please cancel Claims 20, 38, and 42-52.

1. (currently amended) A method of [modulating] reducing gastric acid or pepsinogen secretion, comprising administering to an animal an amount of a prokineticin receptor antagonist effective to [alter] reduce one or more indicia of gastric acid or pepsinogen secretion, wherein said antagonist comprises an amino acid sequence having at least 80% [identical] identity to amino acids to 7 to 77 of SEQ ID NO: 3, said sequence comprising;

(a) the 10 conserved cysteine residues of SEQ ID NO: 3, and

(b) from 0 to 9 of amino acids 78 to 86 of SEQ ID NO: 3,

wherein amino acids 1 to 6 preceeding that part of said antagonist having at least 80% identity to amino acids to 7 to 77 of SEQ ID NO: 3 do not consist of amino acids AVITGA (SEQ ID NO: 21).

In each of Claims 19 and 37, please add "in said animal".

In each of Claims 21 and 22, please change the dependency from "claim 20" to — claim 1 —.

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24. (currently amended) A method of [modulating] reducing gastric acid secretion, comprising administering to an animal an amount of a prokineticin receptor antagonist effective to [alter] reduce one or more indicia of gastric acid secretion, wherein said antagonist comprises an amino acid sequence having at least 80% [identical] identity to amino acids to 7 to 77 of SEQ ID NO: 6, said sequence comprising;

(a) the 10 conserved cysteine residues of SEQ ID NO: 6, and

(b) from 0 to 4 of amino acids 78 to 81 of SEQ ID NO: 6,

wherein amino acids 1 to 6 preceeding that part of said antagonist having at least 80% identity to amino acids to 7 to 77 of SEQ ID NO: 3 do not consist of amino acids AVITGA (SEQ ID NO: 21).

In each of Claims 39 and 40, please change the dependency of "claim 38" to — claim 24 —.

In each of Claims 34, 35, and 36, please delete "or pepsinogen".

**Examiner's Amendments to the Specification:**

At page 6, line 5, please replace "Figure 5 shows" with — Figures 5A-F show —.

At page 6, line 7, please replace "Figure 6 shows" with — Figures 6A-C show —.

The following is an **Examiner's Statement of Reasons for Allowance**: The prior art of record does not teach or suggest the antagonist claimed, or the methods claimed. Therefore, the claims are allowable over the art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Karen Cochrane Carlson, Ph.D. whose telephone number is 571-272-0946. The examiner can normally be reached on 7:00 AM - 4:00 PM, off alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Jon Weber can be reached on 571-272-0925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



KAREN COCHRANE CARLSON, PH.D.  
PRIMARY EXAMINER